

Message Text

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ACTION IO-13

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UNCLAS SECTION 1 OF 3 VIENNA 9443

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SUBJECT: FOURTH SESSION OF THE INTERGOVERNMENTAL COMMITTEE
OF THE WHOLE ON UNIDO CONSTITUTION (IGC-IV), VIENNA, NOV.

2-15, 1976: PREAMBLE, OBJECTIVES, FUNCTIONS

REF: STATE 267400

1. FOLLOWING BELOW ARE THE TEXTS OF THE PREAMBLE, ARTICLE 1
ON OBJECTIVES, AND ARTICLE 2 ON FUNCTIONS AS THEY EMERGED
FROM THE AD HOC DRAFTING/NEGOTIATING GROUP AT THE CONCLUSION
OF SECOND READING ON NOVEMBER 11. THESE TEXTS REPRESENT
DECIDED PROGRESS DURING IGC-IV TO RESOLVE ISSUES WHICH WERE
OUTSTANDING AT CONCLUSION OF IGC-III (A/AC.180/7/ADD. 1).
THE NUMBER OF DISPUTED PARAGRAPHS IN THESE THREE PARTS
HAS BEEN REDUCED FROM 30 TO 13. MOST OF REMAINING DISPUTED
LANGUAGE IS LIKELY TO REMAIN UNRESOLVED AT THE CONCLUSION
OF IGC-IV.

2. PREABLE: WHEREAS ELEVEN OF THE PARAGRAPHS OF THE IGC-III
PREAMBLE WERE BRACKETED IN WHOLE OR IN PART, ONLY FIVE OF THE
PARAGRAPHS OF THE IGC-IV PREAMBLE CONTAIN BRACKETS. THE
BRACKETS IN IGC-IV PARAGRAPHS (1) AND (4) AROUND "PEACE AND
SECURITY" LANGUAGE REPRESENT A SOVIET-CHINESE DISPUTE. THE
BRACKETS IN PARAGRAPH (2) RECORD THE VERY BASIC DISPUTE
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BETWEEN GROUP B (WESTERN EUROPEANS AND OTHERS) AND GROUP OF

77 OVER CITATION OF CONTENTIOUS UN GENERAL ASSEMBLY AND UNIDO RESOLUTIONS AND DECLARATIONS. USDEL RESERVED US POSITION MORE CAREFULLY THAN THE GROUP B BRACKETING OF PARTS OF PARA 2 BY RECORDING OBJECTION TO PARAGRAPH 2 IN ITS ENTIRETY. THE BRACKETS IN PARAGRAPHS (6) AND (8) STAKE OUT THE GROUP B ASSERTION THAT RIGHTS OF NATIONAL SOVEREIGNTY ARE LIMITED BY INTERNATIONAL LAW.

3. ARTICLE 1: THE IGC-III ARTICLE 1 ON OBJECTIVES CONTAINED THREE SEPARATE ONE-PARAGRAPH PROPOSALS BY GROUP OF 77, GROUP B, AND GROUP D (SOVIET BLOCK). THE IGC-IV ARTICLE 1 COMPRISES TWO PARAGRAPHS, THE FIRST PROPOSED BY THE GROUP OF 77 AND SUPPORTED BY CHINA, THE SECOND PROPOSED BY GROUP D AND SUPPORTED BY GROUP B WITH GROUP B OPPOSITION TO CITATION OF THE NEW INTERNATIONAL ECONOMIC ORDER (NIEO) HIGHLIGHTED BY INTERNAL BRACKETS.

4. ARTICLE 2: THE IGC-III TEXT OF ARTICLE 2 CONTAINED FOUR PARAGRAPHS WITH ALTERNATIVE TEXTS, IGC-IV TEXT CONTAINS ONLY ON SUCH PARAGRAPH. IGC-III ARTICLE 2 TEXT HAD ONLY SEVEN AGREED PARAGRAPHS FREE OF BRACKETED LANGUAGE. IGC-IV TEXT HAS FOURTEEN AGREED PARAGRAPHS. THE MOST SERIOUS DIFFERENCE OF VIEW BETWEEN GROUP B AND THE GROUP OF 77 IN ARTICLE 2 IS GROUP OF 77 ATTEMPT IN CHAPEAU AND FINAL FUNCTION TO HAVE PREAMBULAR REFERENCES TO NIEO, THE CHARTER OF ECONOMIC RIGHTS AND DUTIES, AND THE LIMA DECLARATION AND PLAN OF ACTION ASSIMILATED INTO THE BODY OF THE CONSTITUTION AS GUIDES TO ORGANIZATION IN CARRYING OUT ITS FUNCTIONS. G-77 DESIRE TO REMOVE BRACKETED LANGUAGE IN FUNCTION (C) IS ATTEMPT TO GO BEYOND LIMA PLAN OF ACTION PARAGRAPH 66 IN GIVING SECRETARIAT POWER REGARDING NEGOTIATIONS BETWEEN GOVERNMENTS ON THE LOCATION OF INDUSTRIES. GROUP B IS RESISTING ANY UNIDO FUNCTION REGARDING TRANSNATIONAL CORPORATIONS (PARAGRAPH 5) WHILE G-77 AND PANAMA ARE OFFERING MORE MODERATE ALTERNATIVES TO EARLIER GROUP D PROPOSAL.

5. TEXT FOLLOWS:

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(1) THE STATES PARTIES TO THIS CONSITUTION, IN CONFORMITY WITH THE CHARTER OF THE UNITED NATIONS /AND, IN PARTICULAR, ITS BASIC GOAL OF MAINTAINING PEACE AND SECURITY/, (PROPOSED BY GROUP D)

(2) MINDFUL OF THE PRINCIPLES ENUNCIATED AND /GENERALLY/ (PROPOSED BY GROUP B) ACCEPTED IN THE SIXTH SPECIAL SESSION OF THE GENERAL ASSEMBLY /WHICH CALLED FOR THE ESTABLISHMENT

OF A NEW INTERNATIONAL ECONOMIC ORDER/, (PROPOSED BY GROUP OF 77) IN THE SEVENTH SPECIAL SESSION OF THE GENERAL ASSEMBLY /, IN THE CHARTER OF THE ECONOMIC RIGHTS AND DUTIES OF STATES/ (PROPOSED BY GROUP D) AND IN THE DECLARATION AND PLAN OF ACTION FOR INDUSTRIAL DEVELOPMENT AND CO-OPERATION ADOPTED BY THE LIMA CONFERENCE,

(3) DECLARE THAT:

(4) IT IS NECESSARY TO ESTABLISH A JUST AND EQUITABLE ECONOMIC AND SOCIAL ORDER TO BE ACHIEVED THROUGH THE ELIMINATION OF ECONOMIC INEQUALITIES, THE ESTABLISHMENT OF RATIONAL AND EQUITABLE INTERNATIONAL ECONOMIC RELATIONS, IMPLEMENTATION OF DYNAMIC SOCIAL AND ECONOMIC CHANGES AND THE ENCOURAGEMENT OF NECESSARY STRUCTURAL CHANGES IN THE DEVELOPMENT OF THE WORLD ECONOMY /ON THE BASIS OF PEACE AND INTERNATIONAL CO-OPERATION/, (PROPOSED BY GROUP D)

(5) INDUSTRIALIZATION IS A DYNAMIC INSTRUMENT OF GROWTH ESSENTIAL TO RAPID ECONOMIC AND SOCIAL DEVELOPMENT, IN PARTICULAR OF DEVELOPING COUNTRIES, TO THE IMPROVEMENT OF THE LIVING STANDARDS AND THE QUALITY OF LIFE OF THE PEOPLE IN ALL COUNTRIES, AND TO THE INTRODUCTION OF AN EQUITABLE ECONOMIC AND SOCIAL ORDER,

(6) ANY PROCESS OF INDUSTRIALIZATION MUST CONFORM TO THE BROAD OBJECTIVES OF SELF-SUSTAINING AND INTEGRATED SOCIO-ECONOMIC DEVELOPMENT, AND ALL COUNTRIES HAVE THE SOVEREIGN RIGHT /, IN ACCORDANCE WITH INTERNATIONAL LAW/, (PROPOSED BY GROUP B) /TO MAKE THE NECESSARY CHANGES/ (PROPOSED BY GROUP OF 77) TO ENSURE THE JUST AND EFFECTIVE PARTICIPATION OF THEIR PEOPLES IN INDUSTRY,

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(7) AS INTERNATIONAL CO-OPERATION FOR DEVELOPMENT IS THE SHARED GOAL AND COMMON OBLIGATION OF ALL COUNTRIES IT IS ESSENTIAL TO PROMOTE INDUSTRIALIZATION THROUGH ALL POSSIBLE CONCERTED MEASURES /ESPECIALLY THE DEVELOPMENT AND TRANSFER OF TECHNOLOGY/ (PROPOSED BY GROUP OF 77; SUPPORTED BY GROUP B AND CHINA) /IN THIS FIELD, INCLUDING THE ESTABLISHMENT, STRENGTHENING AND DEVELOPMENT OF SCIENTIFIC AND

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TECHNOLOGICAL INFRASTRUCTURE, THE UTILIZATION OF SCIENTIFIC AND TECHNICAL ACHIEVEMENTS, THE DEVELOPMENT, TRANSFER AND ADAPTATION OF TECHNOLOGY/ (PROPOSED BY GROUP D) AT THE NATIONAL, REGIONAL AND INTERNATIONAL LEVELS,

(8) ALL COUNTRIES, IRRESPECTIVE OF THEIR SOCIAL AND ECONOMIC SYSTEMS, ARE DETERMINED TO PROMOTE THE COMMON WELFARE OF THEIR PEOPLES /AND TO MAINTAIN PEACE AND SECURITY/ (PROPOSED BY GROUP D) BY INDIVIDUAL AND COLLECTIVE ACTIONS AIMED AT EXPENDING INTERNATIONAL ECONOMIC CO-OPERATION, STRENGTHENING OF THE ECONOMIC INDEPENDENCE OF THE DEVELOPING COUNTRIES /AND THE EXERCISE OF SOVEREIGNTY OVER THEIR NATURAL RESOURCES/ (PROPOSED BY GROUP D; SUPPORTED BY GROUP OF 77) /IN ACCORDANCE WITH INTERNATIONAL LAW/ (PROPOSED BY GROUP B) AND SECURING THEIR EQUITABLE SHARE IN TOTAL WORLD INDUSTRIAL PRODUCTION,

(9) GUIDED BY THESE PRINCIPLES AND GOALS,

(10) DESIRING TO ESTABLISH, WITHIN THE TERM OF CHAPTER IX OF THE CHARTER OF THE UNITED NATIONS, A SPECIALIZED AGENCY TO BE KNOWN AS THE UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION (UNIDO) (HEREINAFTER CALLED THE "ORGANIZATION"), WHICH SHALL PLAY THE CENTRAL ROLE IN AND BE RESPONSIBLE FOR REVIEWING AND PROMOTING THE CO-ORDINATION OF ALL ACTIVITIES

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OF THE UNITED NATIONS SYSTEM IN THE FIELD OF INDUSTRIAL DEVELOPMENT, IN CONFORMITY WITH THE RESPONSIBILITIES OF THE

ECONOMIC AND SOCIAL COUNCIL UNDER THE CHARTER OF THE UNITED NATIONS AND WITH THE APPLICABLE RELATIONSHIP AGREEMENTS,

(11) HEREBY AGREE TO THE PRESENT CONSTITUTION.

CHAPTER I - OBJECTIVES AND FUNCTIONS

ARTICLE 1 - OBJECTIVES

/THE PRIMARY OBJECTIVE OF THE ORGANIZATION SHALL BE THE PROMOTION AND ACCELERATION OF INDUSTRIAL DEVELOPMENT IN THE DEVELOPING COUNTRIES WITH A VIEW TO ASSISTING IN THE ESTABLISHMENT OF A NEW INTERNATIONAL ECONOMIC ORDER. THE ORGANIZATION SHALL ALSO PROMOTE INDUSTRIAL DEVELOPMENT AND CO-OPERATION ON A GLOBAL, REGIONAL, NATIONAL AND SECTORAL LEVEL./ (PROPOSED BY GROUP OF 77; SUPPORTED BY CHINA).

/THE OBJECTIVES OF THE ORGANIZATION SHALL BE (A) PRIMARILY TO PROMOTE AND ACCELERATE INDUSTRIAL DEVELOPMENT IN THE DEVELOPING COUNTRIES /WITH A VIEW TO ASSISTING IN THE ESTABLISHMENT OF A NEW INTERNATIONAL ECONOMIC ORDER/, (PROPOSED BY GROUP D) AND (B) TO PROMOTE THE ECONOMIC AND SOCIAL DEVELOPMENT OF ALL PEOPLES THROUGH A BROADENING OF CO-OPERATION IN THE INDUSTRIAL FIELD ON A GLOBAL, REGIONAL, NATIONAL AND SECTORAL LEVEL./ (PROPOSED BY GROUP D AND GROUP B).

ARTICLE 2 - FUNCTIONS

IN /ACCORDANCE WITH THE PRINCIPLES ESTABLISHED IN THE PREAMBLE AND IN/ (PROPOSED BY GROUP OF 77) FULFILLMENT OF ITS OBJECTIVES SET FORTH IN ARTICLE 1, THE ORGANIZATION SHALL:

(A) ENCOURAGE AND EXTEND, AS APPROPRIATE, ASSISTANCE TO THE DEVELOPING COUNTRIES IN THE PROMOTION AND ACCELERATION OF THEIR INDUSTRIALIZATION, IN PARTICULAR IN THE DEVELOPMENT, EXPANSION AND MODERNIZATION OF THEIR INDUSTRIES;

(B) IN ACCORDANCE WITH THE CHARTER OF THE UNITED NATIONS, INITIATE, CO-ORDINATE AND FOLLOW-UP THE ACTIVITIES OF THE UNCLASSIFIED

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UNITED NATIONS SYSTEM WITH A VIEW TO ENABLING THE ORGANIZATION TO PLAY THE CENTRAL CO-ORDINATING ROLE IN THE FIELD OF INDUSTRIAL DEVELOPMENT;

(C) PROVIDE A FORUM AND ACT AS AN INSTRUMENT TO SERVE THE DEVELOPING COUNTRIES AND THE INDUSTRIALIZED COUNTRIES IN THEIR CONTACTS, CONSULTATIONS AND /, AT THE REQUEST OF THE COUNTRIES CONCERNED./ (PROPOSED BY GROUP B) NEGOTIATIONS DIRECTED TOWARDS THE INDUSTRIALIZATION OF THE DEVELOPING

COUNTRIES;

(D) CREATE NEW AND DEVELOP EXISTING CONCEPTS AND APPROACHES IN RESPECT OF INDUSTRIAL DEVELOPMENT ON A GLOBAL, NATIONAL AND REGIONAL LEVEL AND CARRY OUT STUDIES AND SURVEYS WITH A VIEW TO FORMULATING NEW LINES OF ACTION DIRECTED FOR THE METHODS EMPLOYED BY COUNTRIES WITH DIFFERENT SOCIO-ECONOMIC SYSTEMS FOR SOLVING INDUSTRIALIZATION PROBLEMS;

(E) PROMOTE AND ENCOURAGE THE DEVELOPMENT AND USE OF PLANNING TECHNIQUES, AND ASSIST IN THE FORMULATION OF DEVELOPMENT, SCIENTIFIC AND TECHNOLOGICAL PROGRAMMES AND PLANS FOR INDUSTRIALIZATION IN THE PUBLIC, CO-OPERATIVE AND PRIVATE SECTORS;

(F) ENCOURAGE AND ASSIST IN THE DEVELOPMENT OF AN INTEGRATED AND INTER-DISCIPLINARY APPROACH TOWARDS THE ACCELERATED INDUSTRIALIZATION OF THE DEVELOPING COUNTRIES;

(G) ASSIST THE DEVELOPING COUNTRIES IN THE ESTABLISHMENT AND OPERATION OF INDUSTRIES INCLUDING AGRO-RELATED AS WELL AS BASIC INDUSTRIES, TO ACHIEVE THE FULL UTILIZATION OF LOCALLY AVAILABLE NATURAL AND HUMAN RESOURCES AND THE PRODUCTION OF GOODS FOR DOMESTIC AND EXPORT MARKETS, AS WELL AS CONTRIBUTE TO THE SELF-RELIANCE OF THESE COUNTRIES;

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(H) SERVE AS A CLEARING-HOUSE FOR INDUSTRIAL INFORMATION AND ACCORDINGLY COLLECT AND MONITOR ON A SELECTIVE BASIS, ANALYSE AND GENERATE FOR THE PURPOSE OF DISSEMINATION INFORMATION ON ALL ASPECTS OF INDUSTRIAL DEVELOPMENT ON GLOBAL, REGIONAL AND NATIONAL, AS WELL AS ON SECTORAL LEVELS INCLUDING THE EXCHANGE OF EXPERIENCE AND TECHNOLOGICAL ACHIEVEMENTS OF THE INDUSTRIALLY DEVELOPED AND THE DEVELOPING COUNTRIES WITH DIFFERENT SOCIAL AND ECONOMIC SYSTEMS;

(I) DEVELOP SPECIAL MEASURES DESIGNED TO PROMOTE CO-OPERATION IN THE INDUSTRIAL FIELD AMONG DEVELOPING COUNTRIES AND BETWEEN THE DEVELOPED AND DEVELOPING COUNTRIES;

(J) DEVOTE PARTICULAR ATTENTION TO THE ADOPTION OF SPECIAL MEASURES AIMED AT ASSISTING THE LEAST-DEVELOPED, LAND-LOCKED, AND ISLAND DEVELOPING COUNTRIES, AS WELL AS THOSE DEVELOPING COUNTRIES MOST SERIOUSLY AFFECTED BY ECONOMIC CRISES AND NATURAL CALAMITIES, WITHOUT LOSING SIGHT OF THE INTEREST OF THE OTHER DEVELOPING COUNTRIES;

(K) ASSIST, IN CO-OPERATION WITH OTHER APPROPRIATE BODIES, THE REGIONAL PLANNING OF INDUSTRIAL DEVELOPMENT OF THE DEVELOPING COUNTRIES WITHIN THE FRAMEWORK OF REGIONAL AND SUBREGIONAL GROUPINGS AMONG THOSE COUNTRIES;

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(L) PROMOTE, ENCOURAGE AND ASSIST IN THE DEVELOPMENT, SELECTION, ADAPTATION, TRANSFER AND USE OF INDUSTRIAL TECHNOLOGY, WITH DUE REGARD FOR THE SOCIO-ECONOMIC CONDITIONS AND THE SPECIFIC REQUIREMENTS OF THE INDUSTRY CONCERNED, WITH SPECIAL REFERENCE TO THE TRANSFER OF TECHNOLOGY FROM THE INDUSTRIALIZED TO THE DEVELOPING COUNTRIES AS WELL AS BETWEEN THE DEVELOPING COUNTRIES THEMSELVES;

(M) ENCOURAGE AND PROMOTE THE ESTABLISHMENT AND STRENGTHENING OF INDUSTRIAL, BUSINESS AND PROFESSIONAL ASSOCIATIONS, AND SIMILAR ORGANIZATIONS /RELATED TO INDUSTRIAL DEVELOPMENT/ (PROPOSED BY GROUP OF 77; SUPPORTED BY GROUP B) /WHICH WOULD CONTRIBUTE TO THE MOBILIZATION OF INTERNAL RESOURCES OF THE DEVELOPING COUNTRIES WITH A VIEW TO DEVELOPING THEIR NATIONAL INDUSTRY/; (PROPOSED BY GROUP D)

(N) ASSIST IN THE ESTABLISHMENT AND OPERATION OF INSTITUTIONAL INFRASTRUCTURE FOR THE PROVISION OF REGULATORY, ADVISORY AND DEVELOPMENTAL SERVICES TO INDUSTRY;

(O) ORGANIZE AND SUPPORT INDUSTRIAL TRAINING PROGRAMMES AIMED AT ASSISTING THE DEVELOPING COUNTRIES IN THE TRAINING OF TECHNICAL AND OTHER APPROPRIATE CATEGORIES

OF PERSONNEL NEEDED AT VARIOUS PHASES FOR THEIR ACCELERATED INDUSTRIAL DEVELOPMENT;

(P) ADVISE ON AND ASSIST, IN CLOSE CO-OPERATION WITH THE APPROPRIATE BODIES OF THE UNITED NATIONS, THE SPECIALIZED AGENCIES AND THE INTERNATIONAL ATOMIC ENERGY AGENCY, THE DEVELOPING COUNTRIES IN THE EXPLOITATION, CONSERVATION AND LOCAL TRANSFORMATION OF THEIR NATURAL RESOURCES FOR THE PURPOSE OF FURTHERING THE INDUSTRIALIZATION OF DEVELOPING COUNTRIES;

(Q) ASSIST, AT THE REQUEST OF GOVERNMENTS OF THE DEVELOPING COUNTRIES, IN OBTAINING EXTERNAL FINANCING FOR SPECIFIC INDUSTRIAL PROJECTS ON FAIR, EQUITABLE AND MUTUALLY ACCEPTABLE TERMS;

(R) PROVIDE PILOT AND DEMONSTRATION PLANTS FOR ACCELERATING INDUSTRIALIZATION IN PARTICULAR SECTORS;
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(S) /CO-OPERATE WITH THE GOVERNMENTS OF THE DEVELOPING COUNTRIES AS APPROPRIATE IN ORDER THAT THE ACTIVITIES OF THE TRANSNATIONAL CORPORATIONS ARE IN CONFORMITY WITH THE ECONOMIC AND SOCIAL AIMS OF THE DEVELOPING COUNTRIES/; (PROPOSED BY GROUP OF 77).

/ADVISE THE DEVELOPING COUNTRIES, IN CO-OPERATION WITH OTHER APPROPRIATE UNITED NATIONS ORGANIZATIONS, WITH REGARD TO THEIR RELATIONS WITH TRANSNATIONAL CORPORATIONS IN ORDER TO PROMOTE AND FURTHER THE INDUSTRIALIZATION PROCESS IN THEIR NATIONAL INTEREST/; (PROPOSED BY PANAMA).

(T) GENERALLY TAKE ALL NECESSARY AND APPROPRIATE ACTION TO IMPLEMENT THE /PRINCIPLES AND/ (PROPOSED BY GROUP OF 77) OBJECTIVES SET FORTH /IN THE PREAMBLE AND/ (PROPOSED BY GROUP OF 77) IN ARTICLE 1. UNQUOTE. STIBRAVY

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